IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 5474 of 2005

Between:

N. Shobanjali, W/o. B. Tirupal,
R/o. Venkatagiri, Nellore District.

..... PETITIONER

AND

1 The Superintendent of Police, Nellore, Nellore District.
2 The Dy. Superintendent of Police, Guduru, Nellore District.
3 The Station House Officr, Venkatagiri Police, Nellore District.
4 The District Educational Officer, Nellore District.
5 Chinthakani Babaiah, S/o. Sundara Ramanaidu,
R/o. 21/32, Karthana Street, Velama by caste,

Head Master, M.P.U.P. School,
Ranipet,Venkatagiri, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction, more particularly one in the nature Writ of Mandamus, directing the Respondent No.1,2 and 3 to proceed against 5th respondent under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Counsel for the Petitioner: MR.V.RAJA MANOHAR

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

The present writ petition is filed seeking a direction to respondent Nos. 1, 2 and 3 to proceed against respondent No. 5 under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The petitioner's case is that he belongs to Scheduled Caste and is working as Teacher in the School, where respondent No. 5 is working as Head Master. As he did not oblige him in certain matters, respondent No.5 bore grudge, and started harassing and insulting him before the staff and students in the name of his caste. He states that though he complained the conduct of respondent No.5, respondent Nos. 1 to 4 are not taking any action. Hence, he filed the present writ petition.

When the matter is taken up for hearing, none appeared for the petitioner.

Learned Government Pleader for Home appearing on behalf of the respondents submitted that already a case in Cr.No.112 of 2004 on the file of Venkatagiri Police Station has been registered against respondent No.5, and investigation is also completed, and charge sheet has been sent for approval of the Additional Director General of Police, (CID), Hyderabad, and as and when it is approved, the same will be filed in the Court.

Inasmuch as the respondents have acted on the complaint given by the petitioner by registering a case against respondent No.5, and in view of the statement made by the learned Government Pleader for Home that the case has already been investigated and the charge sheet is sent for approval and it would be filed in the Court as and when it is approved, no further orders need be passed in this writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

27.04.2005

dr/tvk

To

1 The Superintendent of Police, Nellore, Nellore District.
2 The Deputy Superintendent of Police, Guduru, Nellore District.
3 The Station House Officer, Venkatagiri Police, Nellore District.
4 The District Educational Officer, Nellore District.
5 2 CCs to Government Pleader for Home,

High Court Buildings, Hyderabad. (OUT)

6 2 CD copies